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**CITY OF HAMPTON BOARD OF ZONING APPEALS
WORK SESSION SUMMARY**

July 6, 2020

The City of Hampton Board of Zoning Appeals held a work session on Monday, July 6, 2020 at 4:30 p.m. in the Hardy Cash Conference Room, City Hall, 22 Lincoln Street, Hampton, Virginia.

In attendance were: Chairman John C. Pope, Vice-Chair Linda Ellis, Board Members Dr. Arne Hasselquist, Michael Harris, and Dr. Tamika Lett. Also present were Zoning Administrator Hannah Sabo, Zoning Officials Angela Leflett and Melvion Knight and Senior City Planner Allison Eichele, Deputy City Attorney Bonnie Brown, and Administrative Assistant/Recording Secretary Margaret Leach.

Also present was a representative for applicant Carlos D. Marrow.

Chairman Pope called the work session to order.

In reference to VA20-00005 and VA20-00006, Dr. Hasselquist asked why the contractor wants to attach the detached garage to the newly constructed single family dwelling. Vice Chairman Ellis stated that she thought the applicant John Bowman was aware that the proposed improvements would constitute a substantial improvement and would need to bring the garage into compliance with today's flood zone requirements. Zoning Administrator Hannah Sabo stated that these two cases would need to be voted on separately as they are two separate variance requests.

In reference to EX20-00002, Vice Chair Ellis stated that the homeowners were not told by the builder that they would not be able to build anything in the RPA. Vice Chair Ellis stated that the applicant just wants to place a fence around her yard so that her children and dogs will have a safe place to play. Vice Chair Ellis stated that a Water Quality Impact Assessment had been conducted and the report stated that the fence would not impact the RPA.

In reference to AZ20-00001, Zoning Administrator Hannah Sabo stated that the applicant had sent an email asking for this case to be withdrawn.

There being no further items to discuss, the work session adjourned at 4:47 p.m.

1 **AT A REGULAR MEETING AND PUBLIC HEARING OF THE BOARD OF ZONING APPEALS OF**
2 **THE CITY OF HAMPTON, VIRGINIA, HELD IN COUNCIL CHAMBERS, 8TH FLOOR, CITY HALL,**
3 **22 LINCOLN STREET, AT 5:00 P.M. ON MONDAY, July 6, 2020**

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5 **ITEM I. ROLL CALL**

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7 Chairman Pope called the meeting to order at 5:00 p.m.

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9 A call of the roll noted those present: Chairman John C (Jack) Pope, Vice-Chair Linda Ellis,
10 Board Members Dr. Arne Hasselquist, Michael Harris, and Dr. Tamika Lett.

11 Also present were Interim Zoning Administrator Hannah Sabo, Zoning Official Angela Leflett,
12 Zoning Official Melvion Knight, Senior City Planner Allison Eichele, Deputy City Attorney Bonnie
13 Brown, and Administrative Assistant/Recording Secretary Margaret Leach.

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15 **ITEM II. MINUTES – February 18, 2020**

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17 A motion was made by Vice Chair Ellis and seconded by Board member Harris, to approve the
18 February 18, 2020 Board of Zoning Appeals work session and public hearing meeting minutes.

19 A roll call vote on the motion resulted as follows:

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21 AYES: Harris, Lett, Ellis, Pope
22 NAYS: None
23 ABSTAIN: Hasselquist
24 ABSENT: None

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26 **ITEM III. MINUTES– March 2, 2020**

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28 A motion was made by Vice Chair Ellis and seconded by Board member Harris, to approve the
29 March 2, 2020 Board of Zoning Appeals work session and public hearing meeting minutes.

30 A roll call vote on the motion resulted as follows:

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32 AYES: Hasselquist, Harris, Lett, Ellis, Pope
33 NAYS: None
34 ABSTAIN: None
35 ABSENT: None

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38 **ITEM IV. PUBLIC HEARING ITEMS:**

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40 A. **VA20-00004: Carlos D Marrow ETAL, 1202 Micott Dr., LRSN 3004411**, to request a
41 variance to increase the height of a fence from 6 ft. to 8 ft. in the side yard of a
42 single family dwelling.

43 After being sworn in by the Court Recorder, Zoning Official Melvion Knight presented the case
44 on behalf of the City.

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46 After being sworn in by the court reporter, a representative for Carlos D. Marrow presented the
47 reason why they want to build a higher fence.
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A motion was made by Board member Harris and second by Board member Dr. Lett to approve the variance with the six (6) conditions set forth by staff.

A roll call vote on the motion resulted as follows:

AYES: Hasselquist, Harris, Lett, Ellis, Pope
NAYS: None
ABSTAIN: None
ABSENT: None

B. VA20-00005: Tidewater Cottage Homes LLC, 121 N 4th St, LRSN 12006960, to request a variance to reduce the required rear yard setback from 35 feet to 5 feet to attach the existing garage to a new single family dwelling

After being sworn in by the court reporter, Zoning Official Angela Leflett presented the case on behalf of the City.

After being sworn in by the court reporter, applicant John Bowman stated he built the new house and now would like to attach the garage to make another suite.

After being sworn in by the court reporter, James Joyner a neighbor spoke against the garage being attached to the new house. Mr. Joyner provided pictures and stated the garage needs to be torn down and is in need of extensive repair. Mr. Joyner provided pictures of the garage for the board to see.

After discussion, a motion was made by Board member Hasselquist to deny the variance request due to failure to satisfy all the required criteria for approval. The motion was seconded by Board member Harris.

A roll call vote on the motion resulted as follows:

AYES: Hasselquist, Harris, Dr. Lett
NAYS: Ellis, Pope
ABSTAIN: None
ABSENT: None

Chairman Pope advised Mr. Bowman of his right to appeal the decision of the Board of Zoning Appeals to the Circuit Court within 30 days.

C. VA20-00006: Tidewater Cottage Homes LLC, 121 n 4th St., LRSN 12006960, to request a variance to reduce the side yard setback from 5 feet to 4.22 feet to attach the existing detached garage to a new single family dwelling.

After being sworn in by the court reporter, Zoning Official Angela Leflett presented the case on behalf of the City.

After being sworn in by the court reporter, applicant John Bowman stated he built the new house and now would like to attach the garage to make another suite.

After being sworn in by the court reporter, James Joyner a neighbor spoke against the garage being attached to the new house. Mr. Joyner provided pictures and stated the garage needs to be torn down it is in need of extensive repair. Mr. Joyner provided pictures of the garage for the board to see.

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After discussion, a motion was made by Board member Hasselquist to deny the variance request due to failure to satisfy all the required criteria for approval. The motion was seconded by Board member Harris.

A roll call vote on the motion resulted as follows:

AYES: Hasselquist, Harris, Lett
NAYS: Ellis, Pope
ABSTAIN: None
ABSENT: None

Chairman Pope advised Mr. Bowman of his right to appeal the decision of the Board of Zoning Appeals to the Circuit Court within 30 days.

D. Ex20-00002: Sonya Anthony, 314 Vista Point Dr., LRSN 6001365 to request a Chesapeake Bay exception to allow an encroachment into the 100 foot Resource Protection Area (RPA) in order to construct a 6 foot tall privacy fence within the rear yard. This request would modify a previous RPA buffer encroachment approved by the City in 1997 by increasing the impervious area permitted to 2,996 square feet to 2,768 square feet.

After being sworn in by the court reporter, Senior City Planner Allison Eichele presented the case on behalf of the City.

After being sworn in by the court reporter, applicant Sonya Anthony presented her reasoning as to why she would like to have a fence on her rear yard.

After discussion, a motion was made by Vice-Chair Ellis to approve the variance request with the four (4) conditions set forth by staff. The motion was seconded by Board Member Dr. Lett.

A roll call vote on the motion resulted as follows:

AYES: Harris, Lett, Ellis, Pope
NAYS: Hasselquist
ABSTAIN: None
ABSENT: None

E. AZ20-00001: Crystalynn Dello Iacono, 3839 Kecoughtan Rd., LRSN 2002261, an appeal of a zoning administrators decision in the form of a notice of violation dated February 26, 2020, determining that an amusement center is not a permitted primary use at 3839 Kecoughtan Rd. which is zoned Neighborhood Commercial (C-1).

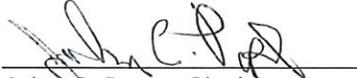
Zoning Official Hannah Sabo presented the board with an email written by the applicant to withdrawn this appeal.

No vote was needed for this appeal.

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ITEM V. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 6:08 p.m.



John G. Pope, Chairman